

**TOWN OF POMFRET
INLAND WETLAND & WATERCOURSES COMMISSION
MEETING MINUTES
OCTOBER 6, 2021**

- 1. OPEN REGULAR MEETING:** Meeting opened at 7:02 pm
- 2. ROLL CALL - Present:** P. Safin, J. Rowley, J. Folsom, J. Stoddard, N. McMerriman, W. Gould, A. Howe, J. Rabbitt, and R. Brais. **Absent:** D. St. Martin, J. Bergendahl (w/n), and L. Shaw (w/n).
- 3. SEAT ALTERNATE(S) AS NEEDED:** Seat A. Howe for D. St. Martin
- 4. ITEMS TO BE ADDED TO THE AGENDA: - none**
- 5. PENDING APPLICATIONS:**
 - A. Michael West, 634 Brayman Hollow Road,** proposed single-family home with associated well, septic system, and grading within the upland review area. G. Glaude of Killingly Engineering and M. West were both present. G. Glaude said the plans were revised 10/5/21. Changes made were: silt fence to be backed with hay bales, and to preserve the buffer along wetlands. There will have added split-rail fence, and added downspouts on east side of property. They received approval from the State of CT for the driveway, dated 9/22/21. Jamie spoke with G. Glaude a lot in the manner of sequencing and wrote a draft approval with 6 conditions of approval. J. Folsom questioned whether they put a fence or stone wall, would it be put on the deed. Jamie said that in the approval, you ask for it to remain in the easement area so no one in 20 years from now will remove it. W. Gould did some research on this property and entered his document into the meeting record. His concerns were how small the area is to build on, that 634 Brayman Hollow Rd. is within the upland review area, the wetlands need to be protected, no trees or vegetation should be removed, that wetlands divide the parcel, and a stone wall is much better than a wood fence (due to the damp and darkness, the fence will rot in 15 years). Discussion was held regarding distances from stream, restriction on size of equipment to be used on site, and trench for stone wall to help stabilize it. Addition to the conditions of approval was made along with information being attached to the land records. J. Folsom made a motion to approve the application with the 6 Conditions of Approval as noted by Jamie. J. Rowley seconded the motion. A roll call vote was taken: P. Safin, J. Rowley, J. Folsom, J. Stoddard, N. McMerriman, and A. Howe voted Yea; W. Gould voted Nay. Motion was approved with a vote of 6 Yeas and 1 Nay.
 - B. Rectory School, 528 Pomfret Street,** construction of new 2-story, 10,249 sf dormitory including 4 faculty apartments. Work will include clearing and grading around the proposed building as well as 7 new parking spaces and minor changes to

the interior access road. This is in the upland review area. Jamie did a site visit and drafted a motion. Commission members looked at the plans by New England Design. Dormitory and faculty housing will use the existing drainage system into the detention basins. Half of the building and the detention basin is within the upland review area. All sheet flowing is away from the wetlands. The pond is 10' higher than the site. (Rectory School is not tied into the sewage system like Pomfret School.) Have not seen a NDDH approval for this application. P. Safin said he wished someone from NE Design was here to answer questions. J. Folsom made a motion to table this item to the November 3rd meeting and have someone from NE Design here next month. P. Safin said typically the norm is all applicants show up for the 1st meeting and then the 2nd meeting.

6. CITIZEN'S COMMENTS: none

7. NEW APPLICATION(S):

A. Donna Grant, 106 Modock Road, 28' x 36' 2-car garage with ADA compliant entry ramp. R. Brais said there are two sets of plans in the folder for 2 different sized buildings. Clerk mentioned she spoke to D. Grant, and she verified that the building is 28'x26' in size. Ryan needs to do a site walk. Application was accepted tonight. This will be on the 11/3/21 agenda.

8. NO-FEE APPLICATIONS: none

9. NOTICES OF VIOLATION/CEASE AND DESIST ORDERS:

A. Outstanding NOV (Notice of Violation)

1. Deborah/Paul Simpson, 64 Hampton Road, - follow-up on 3/2020 on the restoration plan from 1/26/15 NOV. Jamie spoke with P. Simpson and he will come to the December meeting. A decision was made to have the applicant attend monthly meetings until the issue is settled (12/02/2020). Commission members requested that Jamie meet with the Simpsons to see what they're doing in the spring/summer and have Mr. Simpson come to the May/June meeting. It was mentioned that we need to put something in the regulations (i.e., caveat on land records) for applications that don't get completed in a timely manner (5/5/2021). Jamie spoke with Mr. Simpson who couldn't attend the meeting. He explained to the commission his feelings regarding the applicant taking 5+ years to do this reclamation work. We need to push to caveat or speak with the Town Attorney. P. Simpson said that his equipment is still down and being fixed. He would commit to finishing the project this year. He has done some work, but the site had been inactive for the last 12-18 months. P. Safin asked Jamie to photograph the site because it's been too long. Discussion of putting a time frame in place. D. St. Martin made a motion to place a caveat on the land record. J. Folsom seconded. All in favor. (J. Rabbitt said there should be a note on the

caveat that a NOV was sent, a permit was granted, but the work was not done). There is nothing new, but the backhoe is gone (10/6/21).

2. **Zachary Leighton (owner) and Barry Peloquin (occupant), 59 Longmeadow Drive**, Show Cause Hearing on 8/4/2021 for obstruction of a watercourse behind 59 Longmeadow Drive that is causing flooding to upstream properties. After discussion and testimony from Mr. Gadoury, the following action was taken: a Cease & Desist for 59 Longmeadow Drive is valid and was issued for cause and shall remain in effect until the corrective action is reviewed and approved by commission staff. Commission members voted to enforce the action (8/4/2021). Ryan showed the before and after pictures of the stream. P. Safin asked that Ryan check the stream every few weeks. Also, he would like Ryan to call Mr. Gadoury (10/6/21).

10. JURISDICTIONAL RULINGS: none

11. AGRICULTURAL ACTIVITIES: none

12. **PRIOR APPLICATIONS WITH CONDITIONS:** Jamie mentioned that a CO was issued last week to N. Lehto on Longmeadow Drive. An area on the driveway is ponding so they installed a small concrete yard grate (NE direction) which modifies the approved plan.

13. **SUBDIVISIONS APPROVE BY PLANNING AND ZONING:** M. Wolchesky, Mashamoquet/Averill Roads, 3-lot subdivision approved.

14. **COMPLAINTS/CONCERNS RECEIVED BY COMMISSION:** Placement of a new bridge just North of the Mashamoquet Brook. Was to be checked out. Ryan said it's a space lot and he will contact owner at 28 Wrights Crossing Road. Mention was made of activity on Weatherbee Road. Ryan said that Ken Cardinal's son is taking down the Champany building and putting up a new house.

15. NEW COMPLAINTS: none

16. CITIZEN'S COMMENTS: none

17. EXTENSIONS REQUESTED: none

18. COMMISSION BUSINESS:

- A. Updates and report from WEO and Commission Members. J. Stoddard asked about how much the Town owns of a Town road. Jamie said that only 1 road was ever deeded. Most roads have rights-of-way, but it varies throughout the Town. There is no simple answer.

- B.** Approval of the September 1, 2021, meeting minutes. J. Rowley made a motion to approve the minutes as amended. N. McMerriman seconded. All in favor.
Approval of the September 8, 2020, special meeting minutes. J. Rowley made a motion to approve the minutes as amended. A. Howe seconded. All in favor.
- C.** Report of billing and bond releases – in progress
- D.** Correspondence – distributed CT Wildlife July/August 2021 issue

19. **ADJOURNMENT:** J. Folsom made a motion to adjourn. J. Stoddard seconded. All in favor. Meeting adjourned at 8:50 pm.

Respectfully submitted,

Lynn L. Krajewski
Land Use Clerk

Dated: _____